

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: CAROLEE HALL

DATE: AUGUST 4, 2016

RE: CASE NO. CEN-T-16-01: APPLICATION FOR APPROVAL TO REVISE AN INTERCONNECTION AGREEMENT BETWEEN CENTURYTEL OF IDAHO, INC. dba CENTURYLINK ("CENTURYLINK") AND NEW CINGULAR WIRELESS ("NEW CINGULAR").

CASE NO. CGS-T-16-01: APPLICATION FOR APPROVAL TO REVISE AN INTERCONNECTION AGREEMENT BETWEEN CENTURYTEL OF THE GEM STATE dba CENTURYLINK ("CENTURYLINK") AND NEW CINGULAR WIRELESS ("NEW CINGULAR").

BACKGROUND

Under the provision of the federal Telecommunications Act of 1996, interconnection agreements must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). The Commission may reject an agreement adopted by negotiations only if it finds that the agreement: (1) discriminates against a telecommunications carrier not a party to the agreement; or (2) implementation of the agreement is not consistent with the public interest, convenience and necessity. 47 U.S.C. § 252(e)(2)(A). As the Commission noted in Order No. 28427, companies voluntarily entering into interconnection agreements "may negotiate terms, prices and conditions that do not comply with either the FCC rules or with the provision of Section 251 (b) or (c)." Order No. 28427 at 11 (emphasis in original). This comports with the FCC's statement that "a state commission shall have authority to approve an interconnection agreement adopted by negotiation even if the terms of the agreement do not comply with the requirements of [Part 51]." 47 C.F.R. § 51.3.

CURRENT APPLICATION

CenturyTel of Idaho dba CenturyLink and CenturyTel of the Gem State dba CenturyLink filed revisions to their Interconnection Agreements that were approved on June 30, 2016, in Order No. 33548. Both revisions are with New Cingular Wireless PCS, LLC and its Commercial Mobile Radio Service affiliates. This filing is asking that the June 30, 2016 filings be replaced with these filings.

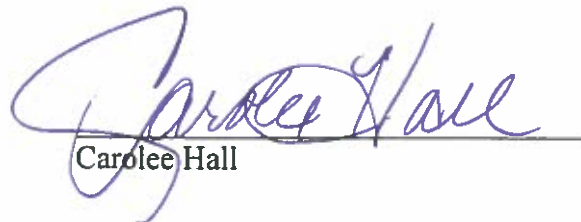
The revised Agreements have been signed by all parties and set transit charges for transit traffic as set forth in Table 1 of the filing.

STAFF ANALYSIS

Staff has reviewed the revised Applications and believes that the Agreements between the companies is consistent with the public interest as identified in the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff believes that the revised Agreements merit the Commission's approval.

COMMISSION DECISION

Does the Commission agree?



Carolee Hall

Idememos/ Paging and Wireless/ /CEN-T-16-01 CENTURYLINK of Idaho, CGS-T-16-01 CENTURYLINK of the Gem State, Inc. AND New Cingular Wireless